

## AMENDMENTS TO THE SPECIFICATION

Please amend the paragraph last on page 5 and continuing onto page 6, as follows:

--When a transmission power margin is transmitted as the uplink channel status information, the Node B 110 can estimate transmission power of an uplink channel by subtracting the transmission power margin from previously-known possible maximum transmission power of the UE 112. The Node B 110 determines a maximum data rate supportable through EUDCH depending on the estimated channel status and information on a data are ~~are~~ required by the UE 112. In step 214, the Node B provides the determined maximum data rate to the UE 112. In response, the UE 112 determines a data rate of packet data to be transmitted over EUDCH within the maximum data rate, and in step 216, transmits packet data to the Node B 110 at the determined data rate.--

Please amend the last paragraph on page 24, as follows:

--If the comparison result satisfies a condition of  $x < T_{\text{send}}$ , the UE does not transmit EUDCH packet. However, if the comparison ~~comparison~~ result satisfies a condition of  $x \geq T_{\text{send}}$ , the UE proceeds to step 1018 where it calculates a maximum allowed data rate  $R_{\text{max}}$  by Equation (4). In step 1020, the UE determines a data rate lower than the  $R_{\text{max}}$  considering a EUDCH buffer status and an allowed delay time. Thereafter, in step 1022, the UE transmits EUDCH packet at the determined data rate.--